

Montana Alcohol Laws and Minors

16-3-301(4)(a) MCA: *Unlawful purchases, transfers, sales, or deliveries:*

It is unlawful for any licensee, a licensee's employee, or any other person to sell, deliver, or give away or cause or permit to be sold, delivered, or given away any alcoholic beverage to any person under 21 years of age.

16-3-301(5) MCA: *Unlawful purchases, transfers, sales, or deliveries:*

Any person under 21 years of age or any other person who knowingly misrepresents the person's qualifications for the purpose of obtaining an alcoholic beverage from the licensee is equally guilty with the licensee and, upon conviction, is subject to the penalty provided in [45-5-624](#). However, nothing in this section may be construed as authorizing or permitting the sale of an alcoholic beverage to any person in violation of any federal law.

16-6-305 MCA: *Age limit for sale or provision of alcoholic beverages:*

Except in the case of an alcoholic beverage provided in a non-intoxicating quantity to a person under 21 years of age by the person's parent or guardian, physician or dentist for medicinal purposes, a licensed pharmacist upon the prescription of a physician, or an ordained minister or priest in connection with a religious observance, a person may not sell or otherwise provide an alcoholic beverage to a person under 21 years of age.

It is unlawful for any person to fraudulently misrepresent the person's age to any dispenser of alcoholic beverages or to falsely procure any identification card or to alter any of the statements contained in any identification card, including a tribal identification card.

45-5-622 MCA: *Endangering welfare of children:*

A parent or guardian or any person who is 18 years of age or older, whether or not the parent, guardian, or other person is supervising the welfare of the child, commits the offense of endangering the welfare of children if the parent, guardian, or other person knowingly contributes to the delinquency of a child less than 18 years old by supplying or encouraging the use of an intoxicating substance by the child.

45-5-623 MCA: *Unlawful transactions with children:*

Except as provided for in [16-6-305](#), a person commits the offense of unlawful transactions with children if the person sells or gives an alcoholic beverage to a person under 21 years of age;

45-5-624 MCA: *Unlawful attempt to purchase or possession of intoxicating substance:*

A person under 21 years of age commits the offense of possession of an intoxicating substance if the person knowingly consumes or has in the person's possession an intoxicating substance. A person may not be arrested for or charged with the offense solely because the person was at a place where other persons were possessing or consuming alcoholic beverages. A person does not commit the offense if the person consumes or gains possession of an alcoholic beverage because it was lawfully supplied to the person under [16-6-305](#) or when in the course of employment it is necessary to possess alcoholic beverages.

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Striving for Responsible Sales and Service of Alcohol